

Henry Cabot Lodge

CONSTITUTION OF THE LEAGUE OF NATIONS ¹

February 28, 1919

"WE MUST HAVE FACTS, DETAILS, AND SHARP, CLEAR-CUT
DEFINITIONS"

Mr. President, all people, men and women alike, who are capable of connected thought abhor war and desire nothing so much as to make secure the future peace of the world. Everybody hates war. Everyone longs to make it impossible. We ought to lay aside once and for all the unfounded and really evil suggestion that because men may differ as to the best method of assuring the world's peace in the future, anyone is against permanent peace, if it can be obtained, among all the nations of mankind. Because one man goes to the Capitol in Washington by one street and another man by a different street it does not follow that they are not both going to the Capitol. We all earnestly desire to advance toward the preservation of the world's peace, and difference in method makes no distinction in purpose. It is almost needless to say that the question now before us is so momentous that it transcends all party lines. Party considerations and party interests disappear in dealing with such a question as this. I will follow any man and vote for any measure which in my honest opinion will make for the maintenance of the world's peace. I will follow no man and vote for no measures which, however well intended, seem in my best judgment to lead to dissensions rather than to harmony among the nations or to injury, peril, or injustice to my country. No question has ever confronted the United States Senate which equals in importance that which is involved in

the league of nations intended to secure the future peace of the world. There should be no undue haste in considering it. My one desire is that not only the Senate, which is charged with responsibility, but that the press and the people of the country should investigate every proposal with the utmost thoroughness and weigh them all carefully before they make up their minds. If there is any proposition or any plan which will not bear, which will not court the most thorough and most public discussion, that fact makes it an object of suspicion at the very outset. Beware of it; be on your guard against it. Demand that those who oppose the plan now offered present arguments and reasons, based on facts and history, and that those who favor it meet objections with something more relative than rhetoric, personal denunciation, and shrill shrieks that virtue is to be preferred to vice and that peace is better than war. Glittering and enticing generalities will not serve. We must have facts, details, and sharp, clear-cut definitions. The American people cannot give too much thought to this subject, and that they shall look into it with considerate eyes is all that I desire.

In the first place, the terms of the league—the agreements which we make—must be so plain and so explicit that no man can misunderstand them. We must, so far as it can be done by human ingenuity, have every agreement which we make so stated that it will not give rise to different interpretations and to consequent argument. Misunderstandings as to terms are not a good foundation for a treaty to promote peace. We now have before us the draft of a constitution for a league of nations, prepared by a commission or committee, which is to be submitted to the representatives of the

¹ U.S., Congress, Senate, *Congressional Record*, 65th Cong., 3d sess., pp. 4520-28.

nations. The nations, through their delegates, have not agreed to it. It has not passed beyond the stage of a committee report. It is open to amendment and change in the peace conference. The Senate can take no action upon it, but it lies open before us for criticism and discussion. What is said in the Senate ought to be placed before the peace conference and published in Paris, so that the foreign governments may be informed as to the various views expressed here.

In this draft prepared for a constitution of a league of nations, which is now before the world, there is hardly a clause about the interpretation of which men do not already differ. As it stands there is serious danger that the very nations which sign the constitution of the league will quarrel about the meaning of the various articles before a twelvemonth has passed. It seems to have been very hastily drafted, and the result is crudeness and looseness of expression, unintentional, I hope. There are certainly many doubtful passages and open questions obvious in the articles which cannot be settled by individual inference, but which must be made so clear and so distinct that we may all understand the exact meaning of the instrument to which we are to be asked to set our hands. The language of these articles does not appear to me to have the precision and unmistakable character which a constitution, a treaty, or a law ought to present. The language only too frequently is not the language of laws or statutes. The article concerning mandatories, for example, contains an argument and a statement of existing conditions. Arguments and historical facts have no place in a statute or a treaty. Statutory and legal language must assert and command, not argue and describe. I press this point because there is nothing so vital to the peace of the world as the sanctity of treaties. The suggestion that we can safely sign because we can always violate or abrogate is fatal not only to any league but to peace itself. You can not found world peace upon the cynical "scrap of paper" doctrine so dear to Germany. To whatever instrument the United States sets its hand it must carry out the provisions of that instrument to the last jot and tittle, and observe it absolutely both in letter and in spirit. If this

is not done the instrument will become a source of controversy instead of agreement, of dissension instead of harmony. This is all the more essential because it is evident, although not expressly stated, that this league is intended to be indissoluble, for there is no provision for its termination or for the withdrawal of any signatory. We are left to infer that any nation withdrawing from the league exposes itself to penalties and probably to war. Therefore, before we ratify, the terms and the language in which the terms are stated must be as exact and as precise, as free from any possibility of conflicting interpretations, as it is possible to make them.

Mr. GORE.² Mr. President—

The VICE PRESIDENT.³ Does the senator from Massachusetts yield to the senator from Oklahoma?

Mr. LODGE. I yield.

Mr. GORE. I should like to ask if the senator from Massachusetts remembers that when Napoleon's prime minister called his attention to the treaty affecting the Louisiana Purchase he observed that he was afraid one article of the treaty was a little obscure. Napoleon told him to scrutinize the article again, and, if it was not obscure, to make it so.

Mr. LODGE. The explanation or interpretation of any of these doubtful passages is not sufficient if made by one man, whether that man be the president of the United States, or a senator, or anyone else. These questions and doubts must be answered and removed by the instrument itself.

It is to be remembered that if there is any dispute about the terms of this constitution there is no court provided that I can find to pass upon differences of opinion as to the terms of the constitution itself. There is no court to fill the function which our Supreme Court fills. There is provision for tribunals to decide questions submitted for arbitration, but there is no authority to decide differing interpretations as to the terms of the instrument itself.

² Thomas P. Gore of Oklahoma (1870-1949) served in the Senate, 1907-1921 and 1931-1937.

³ Thomas R. Marshall (1854-1925) was vice president of the United States, 1913-1921.

THE MONROE DOCTRINE AND THE POLICY OF WASHINGTON

What I have just said indicates the vast importance of the form and the manner in which the agreements which we are to sign shall be stated. I now come to questions of substance, which seem to me to demand the most careful thought of the entire American people, and particularly of those charged with the responsibility of ratification. We abandon entirely by the proposed constitution the policy laid down by Washington in his Farewell Address and the Monroe Doctrine.⁴ It is worse than idle, it is not honest, to evade or deny this fact, and every fair-minded supporter of this draft plan for a league admits it. I know that some of the ardent advocates of the plan submitted to us regard any suggestion of the importance of the Washington policy as foolish and irrelevant. Perhaps it is. Perhaps the time has come when the policies of Washington should be abandoned; but if we are to cast them aside I think that at least it should be done respectfully and with a sense of gratitude to the great man who formulated them. For nearly a century and a quarter the policies laid down in the Farewell Address have been followed and adhered to by the government of the United States and by the American people. I doubt if any purely political declaration has ever been observed by any people for so long a time. The principles of the Farewell Address in regard to our foreign relations have been sustained and acted upon by the American people down to the present moment. Washington declared against permanent alliances. He did not close the door on temporary alliances for particular purposes. Our entry into the great war just closed was entirely in accord with and violated in no respect the policy laid down by Washington. When we went to war with Germany we made no treaties with the nations engaged in the war against the German government. The president was so careful in this direction that he did not permit himself ever to refer to the nations by whose side we fought as "allies," but always as "na-

tions associated with us in the war." The attitude recommended by Washington was scrupulously maintained even under the pressure of the great conflict. Now, in the twinkling of an eye, while passion and emotion reign, the Washington policy is to be entirely laid aside and we are to enter upon a permanent and indissoluble alliance. That which we refuse to do in war we are to do in peace deliberately, coolly, and with no war exigency. Let us not overlook the profound gravity of this step.

Washington was not only a very great man but he was also a very wise man. He looked far into the future and he never omitted human nature from his calculations. He knew well that human nature had not changed fundamentally since mankind had a history. Moreover, he was destitute of any personal ambitions to a degree never equaled by any other very great man known to us. In all the vital questions with which he dealt it was not merely that he thought of his country first and of himself second. He thought of his country first and never thought of himself at all. He was so great a man that the fact that this country had produced him was enough of itself to justify the Revolution and our existence as a nation. Do not think that I overstate this in the fondness of patriotism and with the partiality of one of his countrymen. The opinion I have expressed is the opinion of the world. Fifteen years after Washington's death Byron wrote the famous and familiar lines:

Where may the wearied eye repose
When gazing on the Great,
Where neither guilty glory glows,
Nor despicable state?
Yes, One—the first—the last—the best—
The Cincinnatus of the West,
Whom Envy dared not hate—
Bequeathed the name of Washington,
To make man blush there was but one!

That was the opinion of mankind then, and it is the opinion of mankind today, when his statue has been erected in Paris and is about to be erected in London. If we throw aside the political testament of such a man, which has been of living force down to the present instant, be-

⁴ Enunciated by President James Monroe in 1823, the Monroe Doctrine stated that the United States would not interfere with the internal affairs of European nations and would oppose any attempt by European powers to intervene in the Western Hemisphere.

cause altered circumstances demand it, it is a subject for deep regret and not for rejoicing. When Washington prepared the Farewell Address he consulted Hamilton,⁵ perhaps the greatest constructive mind among modern statesmen, who prepared a large part of the draft; Madison,⁶ one of the chief framers of the Constitution and president of the United States; John Jay,⁷ chief justice and one of the great lawyers in our history. Following them came Thomas Jefferson, James Monroe, and John Quincy Adams,⁸ bringing the Monroe Doctrine to complete and round out the principles of Washington to which they were all alike devoted. If we are to be driven by modern exigencies to dismiss Washington and his counselors and the men who declared the Monroe Doctrine from our consideration, we ought, at least, as these stately figures pass off the stage of guiding influence, to pay our homage to them and not relegate them to the shades of the past with jeers and laughter directed against their teachings. But if we put aside forever the Washington policy in regard to our foreign relations, we must always remember that it carries with it the corollary known as the Monroe Doctrine. Under the terms of this league draft reported by the committee to the peace conference the Monroe Doctrine disappears. It has been our cherished guide and guard for nearly a century. The Monroe Doctrine is based on the principle of self-preservation. To say that it is a question of protecting the boundaries, the political integrity, of the American states is not to state the Monroe Doctrine. Boundaries have been changed among American states since the Monroe Doctrine was enunciated. That is not the kernel of the doctrine. The real essence of that doctrine is that American questions shall be settled by Americans alone; that the Americas shall be separated from Europe and from

the interference of Europe in purely American questions. That is the vital principle of the doctrine.

IS THE NEW SYSTEM SUPERIOR TO THE POLICIES OF
WASHINGTON AND MONROE?

I have seen it said that the Monroe Doctrine is preserved under article 10; that we do not abandon the Monroe Doctrine, we merely extend it to all the world. How anyone can say this passes my comprehension. The Monroe Doctrine exists solely for the protection of the American hemisphere, and to that hemisphere it was limited. If you extend it to all the world, it ceases to exist, because it rests on nothing but the differentiation of the American hemisphere from the rest of the world. Under this draft of the constitution of the league of nations American questions and European questions and Asian and African questions are all alike put within the control and jurisdiction of the league. Europe will have the right to take part in the settlement of all American questions, and we, of course, shall have the right to share in the settlement of all questions in Europe and Asia and Africa. Europe and Asia are to take part in policing the American continent and the Panama Canal, and in return we are to have, by way of compensation, the right to police the Balkans and Asia Minor when we are asked to do so. Perhaps the time has come when it is necessary to do this, but it is a very grave step, and I wish now merely to point out that the American people ought never to abandon the Washington policy and the Monroe Doctrine without being perfectly certain that they earnestly wish to do so. Standing always firmly by these great policies, we have thrived and prospered and have done more to preserve the world's peace than any nation, league, or alliance which ever existed. For this reason I ask the press and the public and, of course, the Senate to consider well the gravity of this proposition before it takes the heavy responsibility of finally casting aside these policies which we have adhered to for a century and more and under which we have greatly served the cause of peace both at home and abroad.

Very complete proof must be offered of the superiority of any new system before we reject

⁵ Alexander Hamilton (1755-1804) was secretary of the treasury, 1789-1795.

⁶ James Madison (1751-1836) was president of the United States, 1809-1817.

⁷ John Jay (1745-1829) was chief justice of the United States, 1789-1795.

⁸ Thomas Jefferson (1743-1826) was president of the United States, 1801-1809; James Monroe (1758-1831) was president of the United States, 1817-1825; John Quincy Adams (1767-1848) was president of the United States, 1825-1829.

the policies of Washington and Monroe, which have been in our foreign relations the Palladium of the Republic. Within the memory of those to whom I now speak the Monroe Doctrine stopped the incursions of England upon the territory of Venezuela and settled the boundary question finally by arbitration. Under the Monroe Doctrine we arrested the attempt of Germany to take Venezuelan territory on another occasion. In these two instances the doctrine was enforced by a Democratic president and by a Republican president, and they were supported in so doing by all the people of the United States without regard to party. I mention these cases merely to show that we are not cutting away dead limbs from the body politic, but that we are abandoning two cardinal principles of American government, which, until the presentation of this draft for the constitution of the league of nations, were as vital as on the day when Washington addressed the people of the United States for the last time or when President Monroe announced his policy to the world. What has happened since November 11, 1918,⁹ to make them so suddenly valueless, to cause them to be regarded as injurious obstacles to be cast out upon the dust heaps of history? It seems to me that that is a question which at least deserves our consideration before we take action upon it.

"IF THE UNITED STATES AGREES TO GUARANTIES . . . WE
MUST MAINTAIN THEM"

Two other general propositions, and I shall proceed to examine these league articles in detail. In article 10 we, in common, of course, with the other signatories and members of the projected league, guarantee the territorial integrity and the political independence of every member of the league. That means that we ultimately guarantee the independence and the boundaries, as now settled or as they may be settled by the treaty with Germany, of every nation on earth. If the United States agrees to guaranties of that sort we must maintain them.

⁹ The armistice that ended hostilities in World War I took effect on this date, although the first peace conference did not convene until January 18, 1919.

The word of the United States, her promise to guarantee the independence and the boundaries of any country, whether she does it alone or in company with other nations, whether she guarantees one country or all the countries of the world, is just as sacred as her honor—far more important than the maintenance of every financial pledge, which the people of this country would never consent to break.

I do not now say the time has not come when, in the interest of future peace, the American people may not decide that we ought to guarantee the territorial integrity of the far-flung British Empire, including her self-governing dominions and colonies, of the Balkan States, of China or Japan, or of the French, Italian, and Portuguese colonies in Africa; but I do suggest that it is a very grave, a very perilous promise to make, because there is but one way by which such guaranties, if ever invoked, can be maintained, and that way is the way of force—whether military or economic force, it matters not. If we guarantee any country on the earth, no matter how small or how large, in its independence or its boundaries, that guarantee we must maintain at any cost when our word is once given, and we must be in constant possession of fleets and armies capable of enforcing these guaranties at a moment's notice. There is no need of arguing whether there is to be compulsive force behind this league. It is there in article 10 absolutely and entirely by the mere fact of these guaranties. The ranks of the armies and the fleets of the navy made necessary by such pledges are to be filled and manned by the sons, husbands, and brothers of the people of America. I wish them carefully to consider, therefore, whether they are willing to have the youth of America ordered to war by other nations without regard to what they or their representatives desire. I would have them determine after much reflection whether they are willing to have the United States forced into war by other nations against her own will. They must bear in mind constantly that we have only one vote in the executive council, only one vote in the body of delegates, and a majority of the votes rules and is decisive.

I am not here to discuss the constitutional question of the sole right of Congress to declare

war. That is a detail, as it relates only to the Constitution, which we may decide later. In my own opinion, we shall be obliged to modify the Constitution. I do not think, and I never can admit, that we can change or modify the Constitution by a treaty negotiated by the president and ratified by the Senate. I think that must be done, and can only be done, in the way prescribed by the Constitution itself, and to promise to amend our Constitution is a serious task and a doubtful undertaking.

I hope the American people will take time to consider this promise before they make it—because when it is once made it cannot be broken—and ask themselves whether this is the best way of assuring perfect peace throughout the future years, which is what we are aiming at, for we all are aiming at the same object. A world's peace which requires at the outset preparations for war—for war either economic or military—in order to maintain that peace presents questions and awakens thoughts which certainly ought to be soberly and discreetly considered.

"ARE WE PREPARED TO HAVE A LEAGUE OF NATIONS . . .
OPEN OUR DOORS?"

The second general proposition to which I would call attention is this: We now in this draft bind ourselves to submit every possible international dispute or difference either to the league court or to the control of the executive council of the league. That includes immigration, a very live question, to take a single example. Are we ready to give to other nations the power to say who shall come into the United States and become citizens of the Republic? If we are ready to do this, we are prepared to part with the most precious of sovereign rights, that which guards our existence and our character as a nation. Are we ready to leave it to other nations to determine whether we shall admit to the United States a flood of Japanese, Chinese, and Hindu labor? If we accept this plan for a league, this is precisely what we promise to do. I know that by following out all the windings of the provision for referring to the council or allowing the council to take charge of what has been called hitherto a non-

justiciable question, we shall probably reach a point where it would not be possible to secure unanimous action by the league upon the question of immigration. But, Mr. President, I start with the proposition that there should be no jurisdiction in the league at all over that question; that it should be separated absolutely and entirely from any jurisdiction of the league. Are we prepared to have a league of nations—in which the United States has only one vote, which she could not cast on a dispute to which she was a party—open our doors, if they see fit, to any and all immigration from all parts of the world?

Mr. Taft¹⁰ has announced, in an article which appeared in the *National Geographic Magazine*, that the question of immigration will go before the international tribunal, and he says now that all organized labor is for the league. If American labor favors putting the restriction of immigration in the control of other nations they must have radically changed their minds and abandoned their most cherished policy. Certainly the gravity of such promises as are involved in the points I have suggested is sufficient to forbid haste. If such promises are to be given they must be given in cold blood with a full realization of what they mean and after the American people and those who represent them here have considered all that is involved with a serious care such as we have never been called upon to exercise before. We are asked to abandon the policies which we have adhered to during all our life as a nation. We are asked to guarantee the political independence and the territorial integrity of every nation which chooses to join the league—and that means all nations, as the president stated in his speech at Manchester. We are asked to leave to the decision of other nations, or to the jurisdiction of other nations, the question of what immigrants shall come to the United States. We are asked also to give up in part our sovereignty and our independence and to subject our own will to the will of other nations, if there is a majority

¹⁰ William Howard Taft (1857-1930), who was president of the United States, 1909-1913, served as joint-chairman of the War Labor Board during World War I, before being appointed chief justice of the United States in 1921.

against our desires. We are asked, therefore, in a large and important degree to substitute internationalism for nationalism and an international state for pure Americanism. Certainly such things as these deserve reflection, discussion, and earnest thought.

I am not contending now that these things must not be done. I have no intention of opposing a blank negative to propositions which concern the peace of the world, which I am as anxious to see promoted as any living man can be; but I do say, in the strongest terms, that these things I have pointed out are of vast importance not only to us but to the entire world, and a mistake now in making the league of nations might result in more war and trouble than the old system in its worst days. What I ask, and all I ask, is consideration, time, and thought.

HARMONY OR DISSENSION?

The first and most practical question for us to consider and decide is whether the terms of this committee draft of a constitution for the league of nations really make for harmony among the nations or will tend to produce dissension and controversy. We all desire peace, but in our zeal for peace we must be careful not to create new obligations and new and untried conditions, which may lead to fostering war rather than peace. For this reason I am going now to examine the articles in the draft of the constitution for the league of nations one by one.

Upon the preamble we need not pause. It states purposes and objects with which everybody, of course, is in sympathy.

Article 1 deals with the officers and the delegates, and they are sufficiently and clearly provided for, and also that there shall be an international secretariat. I think nothing is omitted so far as the creation of offices goes.

Nothing is said about how the delegates shall be chosen. That, of course, is a matter which is left to each nation to determine, but I venture, with all respect, to suggest that delegates representing the United States in what is to be a world state, to which we are to give a portion of our sovereignty and independence, ought to represent the United States; they ought to be

selected by the people of the United States or appointed as ambassadors and consuls are appointed. I think these delegates, who are certainly as important as ambassadors or consuls, should be appointed by the usual method of the president and the Senate, and not ever be allowed to be irresponsible personal agents. That, however, is something we can attend to here, I think, when the league of nations is submitted to us in treaty form.

"THE UNITED STATES WILL HAVE ONE VOTE AND SO WILL
SIAM"

Article 2 refers to the meetings of the body of delegates, and also provides that "each of the high contracting parties shall have one vote but may not have more than three representatives." Therefore the voting in the body of delegates proceeds on the well-settled principle of international law that each national sovereignty is equal to every other national sovereignty, and the United States will have one vote and so will Siam.

In article 3 we come to the executive council, which is of the greatest possible importance, for it is in the provision stated here—and also, I am sure, as practice will show—the controlling force of the entire league:

The executive council shall consist of representatives of the United States of America, the British Empire, France, Italy, and Japan, together with representatives of four other States members of the league.

What other states shall be selected has not yet been disclosed to us, but there must be four other states. The executive council now has five members—three from Europe, one from Asia, and one from America. Ultimately it will have nine members. I assume, and I think I have the right to assume, on the best authority, that there is no intention of making Germany one of the four nations to be added to the existing five which will compose the nine members of the executive council. I think it is probable that Germany will have a period of probation before she is even admitted to the league, and that seems to me to be eminently wise.

Then the article provides for the meeting of the council, and then says in the last paragraph:

Invitations shall be sent to any power to attend a meeting of the council at which matters directly affecting its interests are to be discussed, and no decision taken at any meeting will be binding on such powers unless so invited.

This, of course, looks to having the executive council consider the affairs of every country in the world, whether they are members of the league or not, and all the council has to do in order to make its action binding on such powers is to invite them to be present. It is a paragraph not without importance.

ART. 4. All matter of procedure at meetings of the body of delegates or the executive council, including the appointment of the committees to investigate particular matters, shall be regulated by the body of delegates or the executive council, and may be decided by a majority of the States represented at the meeting.

It is to be decided by the executive council, where we shall have one vote in five, or, when the council is enlarged, one vote in nine, and in the body of delegates, of course, only one vote.

Then comes article 5, which provides for the secretariat and concerns only offices and provisions for expenses. The words creating offices and providing for salaries leave no room for doubts or questionings.

Article 6 is a matter of course. It simply gives the delegates diplomatic immunities and privileges.

Article 7 covers the admission to the league of states and, when a state is invited to adhere, "requires the assent of not less than two-thirds of the States represented in the body of delegates, and shall be limited to fully self-governing countries, including dominions and colonies."

The inclusion of dominions and colonies, of course, covers the four great self-governing dominions of Great Britain. I have no fault to find with the arrangement. Canada, New Zealand, South Africa, and Australia are far more worthy and more valuable members of a league of nations than some of the nations which I think will find their way into the body. But the fact remains that in the body of delegates England has five votes to one vote of any other country.

The next paragraph says:

No State shall be admitted to the league unless it is able to give effective guaranties of its sincere intention to observe its international obligations.

I do not wish to seem hypercritical, but I think that in a document of this kind we should know a little better what an "effective guaranty of a sincere intention" is.

How can we have an effective guaranty of a sincere intention?

I merely throw this out as one of the points which it seems to me ought to be made clear. Let us know what it means. How are we to test the sincerity of the intention? How are we to get a guaranty for the sincerity of the intention in advance? I think it would be well to have that more precisely defined.

THE CONSTITUTION MUST BE CLEAR

We now come to article 8, which refers to disarmament, a most important question, one of the most important in the constitution of the league, with the purpose of which everybody must be in the keenest sympathy. The reduction of armaments, if it can be brought about successfully, will be of the greatest value to the world and relieve the people of all countries from a burden of taxation which has become intolerable. But its very importance makes it necessary, in my opinion, to express what is to be done with the utmost clearness. The article says:

The high contracting parties recognize the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations—

That is, the reduction must be consistent with the "enforcement by common action of international obligations," words to be considered and which the instrument itself must explain.

Here we are dealing solely with military force which we are seeking to reduce, and it is recognized that in disarmament one of the elements to be considered is the "enforcement by common action of international obligations," which, I assume—we have to assume more or less as we pass along through these articles—

refers to the obligations of the league. We certainly owe no international obligation to anybody else today as to what fleets and armies we shall have. Yet this article contemplates as one of the tests of disarmament the amount of force which will be needed to carry out the purposes of the league. The article continues:

having special regard to the geographical situation and circumstances of each State, and the executive council shall formulate plans for effecting such reduction.

I do not know how far the formulation has a binding effect, but the article goes on to say:

The executive council shall also determine for the consideration and action of the several Governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the program of disarmament—

“Laid down.” Again I have to interpret. Laid down, I assume, by the executive council itself, because it is they who make the program—

and these limits, when adopted, shall not be exceeded without the permission of the executive council.

There comes in an absolutely binding provision. It says “when adopted.” Adopted by whom? The natural inference is, adopted by the several governments, if you trace it back through the wording of the previous paragraphs. Ought not an instrument of this vital character to be drafted with the ordinary care which a clerk gives in drafting a clause in an appropriation bill for a Senate committee? Ought it not to be stated clearly, “thus adopted by the several governments,” and then there can be no question that each government will decide on the program itself and its own share before it is put in a position where it can never exceed that program without the permission of the executive council—I assume the majority of the executive council. That is another thing which apparently it has not been thought worthwhile to state, but I do not think you can be too clear when you are exacting from nations these great promises and laying upon them these heavy burdens.

The high contracting parties agree that the manufacture by private enterprise of munitions and implements of war lends itself to grave objections, and direct the executive council to advise how the evil effects attendant upon such manufacture can be prevented.

That, I take it, is mere advice to be laid before the body of delegates, but it is not explained how far the advice goes.

The high contracting parties—

The last paragraph says—

undertake in no way to conceal from each other the condition of such of their industries as are capable of being adapted to warlike purposes or the scale of their armaments, and agree that there shall be full and frank interchange of information as to their military and naval program.

An admirable proposition! Certainly it cannot but add to the prospect of the peace of the world if every nation shall explain to every other nation just what military and naval program it has; but there seems to be no method expressed here by which they can be compelled to give that information, except by saying that if they do not do it they fail in a moral obligation and will be guilty of what some people might define as “moral obliquity.”

Article 9 says:

A permanent commission shall be constituted to advise the league on the execution of the provisions of article 8 and on military and naval questions generally.

A very useful body, but constituted by whom? There is not one syllable in the article to show by whom it shall be constituted. It may be unnecessary to do it; we may be able to infer it; but when you get into the misty region of inferences by individuals you must have some tribunal established like our Supreme Court, who can declare whether the inference is correct or not.

PRESERVING TERRITORIAL INTEGRITY

Article 10 is probably the most important article in the whole constitution—I have already referred to it—because to me it is graver than anything else with perhaps one exception in this entire treaty. It is also perfectly clear:

The high contracting parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the executive council shall advise upon the means by which the obligation shall be fulfilled.

The executive council is to have the power of advice, which I do not suppose is binding at all, but the guaranty remains, and, as I have already said—it can not be too often repeated—that when one nation guarantees the political independence and the territorial integrity of another, that guaranty must be maintained, and guaranties can only be maintained by the exercise in the last resort of the force of the nation. If we were to guarantee the political independence and territorial integrity of Mexico or Guatemala, or any of those states, we should have to stand behind them with our armies and our fleets when the guaranty was invoked, and there is no escape from that obligation. Those plain words demand it. I am not now arguing whether we should give the guaranty or whether we should not give the guaranty, but I beg my fellow countrymen to consider well before they give this promise to invoke the mighty power of the United States in order to enforce a guaranty which extends to the boundaries of every state on the face of the earth. It is a tremendous promise, and if we give it this country must carry it out. The United States must never be guilty of in any way impairing the sanctity of treaties. But let us think well before we do it. Let us consider it. In the presence of such promises as that is it unreasonable to ask that the American people should have time to consider, to realize, just what it means before they give the promise? If they decide coolly and deliberately, there is nothing more to be said; we bow to it, and Congress will fulfill it; but that is too weighty a promise to make by simply saying, "I am in favor of a league of nations and of the eternal peace of the world." We are all in favor of the peace of the world. A mere title does not carry with it any explanation of the responsibility which is undertaken.

Article 11. Any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations—

"Any action" covers war—

It is hereby also declared and agreed to be the friendly right of each of the high contracting parties to draw the attention of the body of delegates—

Which I suppose means the five who are now assigned and the four who are to join with them, making nine in all—

to draw the attention of the body of delegates or of the executive council to any circumstances affecting international intercourse which threaten to disturb international peace or the good understanding between nations upon which peace depends.

Everyone must agree to that, except for the slight uncertainties of statement, but it embodies in practice one of the paragraphs of The Hague convention.

Now we come to the disputes. Those articles relating to the settlement of disputes would require a long time by themselves, if we touched nothing else, to discuss, and also to understand. I merely wish to call attention to a few points which occur on a casual reading. It says in article 12 "disputes." It says in article 13 "any disputes." That means any dispute that may arise among nations, of any kind, whether involving domestic or internal matters or foreign relations. The words "any disputes" cover everything. On that point I wish to reiterate what I have already said. I am not going further into it.

"IMMIGRATION LIES AT THE VERY ROOT OF NATIONAL CHARACTER"

It is no reply to the point that is made about immigration to say that, if you follow it through all the windings of the provisions here for justiciable and nonjusticiable questions you will find it reaches a point where the league could do nothing about immigration into the United States unless it was unanimous, and that it is very unlikely they would ever be unanimous. Grant it; it is unlikely that the league will ever be unanimous about anything, but the possibility is there. I deny the jurisdiction. I do not think we should leave to the league any question as to immigration, because immigration lies at the very root of national character and national economy; it ought to be made plain that the league has no jurisdiction whatever over such questions in any way. We do not want a narrow alley of escape from the jurisdiction of the league. We want to prevent any jurisdiction whatever. As we stand today no nation or nations can say who shall come

into the United States. There is only one rule as to that, and that is the rule of the United States. It should so remain. What I say for the United States I mean for every other nation. No nation should be compelled to admit anyone within its borders whom it does not choose to admit.

Some of these points I think it might be well for, those who prepared this draft to consider. Perhaps I do not regard the drafting committee with the veneration which the senator from Nebraska [Mr. HITCHCOCK]¹¹ feels toward them; I know some of them, and, without reflecting upon them in any way, I do not think their intellect or position in the world are so overpowering that we can not suggest amendments to this league. I can not say I know them all; I do not believe anybody here could get up and say who the fourteen members of that commission are.

But there is a practical question to which I was about to call attention. This constitution here says until three months there shall be "no resort to war without previously submitting the question and matters involved either to arbitration or to inquiry by the executive council and until three months after award by the arbitrators or a recommendation by the executive council."

That binds the members of the league; but there have been outlaws among the nations before now. As a matter of history, the sudden manner in which Frederick the Great threw aside all his most solemn promises and poured his armies over Silesia, which Prussia has held ever since he tore it from Austria. How was this present war begun? By the sudden precipitation of an enormous war machine on the unprepared lands of Belgium and the nearly unprepared territory of France.

Suppose we had a Mexican raid across our border. It has happened. Perhaps Mexican nature has changed and it will never happen again, but it may happen. We are members of the league, we will suppose, and mean to carry out, as we must, every provision in absolute good faith. Mexico does not happen, we will

¹¹ Gilbert M. Hitchcock (1859-1934) served in the Senate, 1911-1923.

say, to be a member of the league, or she is a member and breaks her covenants; she has not yet given "effective guaranties of sincere intention"; she breaks across our border, and under this article we have got to wait three months before we do anything. That, I think, would be a little hard on the people who live on the border.

Mr. REED.¹² If the senator from Massachusetts will pardon me, it is three months after the decision, is it not?

Mr. LODGE. Three months after the award.

Mr. REED. And the award might be made thirty years after the occurrence?

Mr. LODGE. No; the award of the arbitrators must "be made within a reasonable time."

Mr. REED. Oh, yes. [Laughter on the floor and in the galleries.]

The VICE PRESIDENT. The galleries will be cleared, except the senatorial gallery. We might as well settle this question first as last.¹³

Mr. REED. Oh, Mr. President—

The VICE PRESIDENT. The chair cannot sit here and not enforce the rule. Either repeal the rule or the chair must enforce it. The chair does not care anything about the rule.

Mr. REED. Perhaps I am to blame for the disturbance. I will apologize for having made the remark; and I hope the chair, having admonished the galleries, will not have them cleared.

The VICE PRESIDENT. The chair is admonishing the galleries every fifteen minutes. The chair does not care anything about the rule—he wishes it were repealed—but unless the rule can be repealed it is going in some way to be observed.

Mr. LODGE. Mr. President, such disturbance as there was came, chiefly, I think, from senators themselves.

Mr. BRANDEGEE.¹⁴ Absolutely.

¹² James A. Reed of Missouri (1861-1944) served in the Senate, 1911-1929.

¹³ Senate Rule XIX, in effect since 1914, states that "whenever confusion arises in the Chamber or the galleries, or demonstrations of approval or disapproval are indulged in by the occupants of the galleries, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator."

¹⁴ Frank B. Brandegee of Connecticut (1864-1924) served in the Senate, 1905-1924.

Mr. LA FOLLETTE.¹⁵ Absolutely.

Mr. POINDEXTER.¹⁶ I ask, in view of the fact that this is the first infraction of the rule, that for the time being the rule be not enforced.

The VICE PRESIDENT. If the Senate does not desire the rule enforced, the chair will not enforce it.

Mr. LODGE. Mr. President, I think some provision ought to be made by which any country which is a member of the league and carrying out its principles, as it must, in good faith, should have some right reserved to protect itself against sudden inroad or invasion. We may say that is never going to occur. That is the answer which is usually made to most of these things; that it is inconceivable. It is not inconceivable, for it has happened before, and it may happen again. There ought to be some provision to cover it. That is all I venture to suggest.

Mr. NORRIS.¹⁷ Mr President—

The VICE PRESIDENT. Does the senator from Massachusetts yield to the senator from Nebraska?

Mr. LODGE. I yield.

Mr. NORRIS. Will the senator permit an interruption?

Mr. LODGE. I will; yes.

Mr. NORRIS. The senator from Massachusetts, in giving an illustration, used Mexico, and said he assumed that Mexico would not be a member of the league.

Mr. LODGE. Oh, no. I was only assuming that for purposes of illustration. I suppose Mexico will be a member of the league. It does not make any difference whether she disregard her obligations as a member or have none.

Mr. NORRIS. I want to take the senator's assumption as he gave it. Where is the language in article 12 or 13, which the senator was discussing that, at least, would apply to that kind of a case? As I read the language there, it applies only between members of the league. It

would not apply at all in the case the senator from Massachusetts has put.

Mr. LODGE. I assume that as to members of the league it will cover it, but I think later on the senator will find the proposition there about putting nations outside of the league who are not members of the league within the control of the league.

Mr. NORRIS. Yes, I think so.

Mr. LODGE. It comes pretty near to it.

Mr. NORRIS. But the senator was discussing articles 12 and 13, and got that kind of a construction out of them.

Mr. LODGE. I am perfectly willing to leave it to Mexico as a member of the league. I do not think that being a member of the league is going to alter Mexican character materially, although it may.

Mr. NORRIS. But it would alter the senator's assumption materially.

Mr. LODGE. No; not at all, because Mexico may break out. I say again there might be an outlaw among nations.

Mr. NORRIS. I call the senator's attention to the fact that he assumed, in the illustration he gave, that Mexico was not in the league; that we were, and that articles 12 and 13, which he was discussing, would apply to his suggestion.

Mr. LODGE. I specifically said let us assume that for the purpose of argument. I am perfectly willing to drop the assumption and confine it to the exact language of the article, which suits me just as well for illustration.

Mr. WILLIAMS.¹⁸ Mr. President—

The VICE PRESIDENT. Does the senator from Massachusetts yield to the senator from Mississippi?

Mr. LODGE. I cannot yield further, Mr. President. I wish to finish. Article 13 reads:

The high contracting parties agree that whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration—

That is, disputes which a majority of the high contracting parties recognize to be suitable for submission to arbitration—

¹⁵ Robert M. La Follette, Sr., of Wisconsin (1855-1925). See Speech No. 26.

¹⁶ Miles Poindexter of Washington (1868-1946) served in the Senate, 1911-1923.

¹⁷ George W. Norris of Nebraska (1861-1944) served in the Senate, 1913-1943.

¹⁸ John Sharp Williams of Mississippi (1854-1932) served in the Senate, 1911-1923.

and which can not be satisfactorily settled by diplomacy, they will submit the whole matter to arbitration.

Of course, the only people who can submit a matter to arbitration are the people who are parties to the dispute. Those who have no dispute cannot submit anything to arbitration, because they have nothing to submit.

The reason I bring this apparently trivial point up at this time is that it will be well to differentiate these "theys" and show that in one case the reference is to the high contracting parties who agree that any dispute that arises among them suitable for submission shall be submitted, and, in the other that those between whom the dispute arises will submit it. This is clearly the meaning, I think, but it might be expressed a little more luminously.

The executive council "proposes," I suppose, by a majority, although it does not say so; and how binding the proposal is does not appear. I think it ought to be explicitly stated that a majority of the executive council shall have the power to propose and declare whether the proposal is binding or not. The word "propose" does not imply a binding character, I am well aware; but I should like to get rid of one of the implications of which this document is full.

Article 14 provides that "the executive council shall formulate plans for the establishment of a permanent court of international justice."

RESOLUTION OF DISPUTES

Then comes article 15, which is very important, and which provides for those disputes "likely to lead to rupture," which are not submitted to arbitration, but which the high contracting parties agree they will refer to the executive council through the secretary general. They are to make their statements of the case there and such recommendations are to be made as the executive council thinks just and proper for the settlement of the dispute, and "if the report is unanimously agreed to by the members of the council other than the parties to the dispute the high contracting parties agree that they will not go to war with any party which complies with the recommendations."

Unless the council is unanimous, I take it, they are at liberty to go to war. And "if any

party shall refuse so to comply the council shall propose measures necessary to give effect to the recommendation." There is no explanation of what measures. I presume we must take it to mean all measures. I will not follow the referred dispute through all its tortuous pathway, but it comes eventually to the body of delegates, and in that connection the proposed constitution says:

All the provisions of this article and of article 12 relating to the action of the executive council shall apply to the action and powers of the body of delegates.

This means that the body of delegates, as I take it, must unanimously agree, and if they do not unanimously agree it appears to me to leave the whole matter open. This may be a protection in certain cases, but in other cases, it seems to me, it does not offer a very strong resistance or create a very serious obstacle to war.

Now we come to article 16, which says that—

Should any of the high contracting parties break or disregard its covenants under article 12 it shall thereby ipso facto be deemed to have committed an act of war against all the other members of the league, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not.

There can be no doubt, under the conditions given, that we shall be called upon to enter on an economic war with any state on earth, whether a member of the league or not, if that state breaks or disregards any of the covenants relating to arbitration. I merely call attention to it because I venture to think that cutting off our intercourse with another nation and opening our territory to the passage of troops is a very serious promise to make; and I think it ought to be honored with more consideration than perhaps it has yet received.

Article 16 contemplates also the duties of the executive council in such cases "to recommend what effective military or naval forces the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league."

Here it is apparent that there can be no question that the armed forces of the United States are to be called upon for work of this kind; and if we are to act in good faith, it seems to me we are morally bound by this clause to contribute what the executive council recommends to the armed forces called forth to protect the covenants of this league. We may say their recommendation does not bind, but it certainly binds us morally if we agree to it; and I do not think that we can afford to enter a league of nations for the preservation of the peace of the world with any misunderstanding on a point of this kind. It seems to me that, in any event, this is a direct interference with the power of Congress to raise armies and maintain navies, and we shall be compelled to have a constitutional amendment in order that this provision may be carried out. However, I am not going at this time to enter upon constitutional questions, which are regarded by most advocates of the league as either humorous or academic.

Article 17 refers to the case of disputes between members of the league and other states not members, and makes various provisions raising many of the questions which are raised by the preceding article.

Article 19 is one of the great articles of the proposed constitution. It provides for the states of the league being mandatories and taking charge of other states classified under various descriptions in the article, which I will not read. Oddly enough, it does not say who is to select the mandatories; at least, I can find nothing in the article stating who is to choose the mandatories, whether the body of the delegates or the executive council; nor does it appear whether a mandatory is bound if once selected. I presume not; but it is not stated. I do not think it is hypercriticism to suggest that when a mandatory is to be selected to take charge of the fortunes of another people, or of another state, there should be some provision for the selection of the mandatory, and it should be made clear, at least, whether the nation so selected is bound.

I am not going into the general question of taking up the work of the mandatories and holding states in tutelage. That was so thoroughly covered by the senator from Iowa [Mr.

CUMMINS]¹⁹ that it is not necessary for me to take the time of the Senate to discuss it further; but I suggest this thought—and I shall keep on suggesting it—that before the United States binds itself in any way it should be made clear to what extent it is bound, for I have no sympathy with the proposition that we can refuse this and refuse that; in other words, that we can violate the principles of the treaty whenever we feel like it. I think that idea ought to be finally dismissed. What we are bound to in honor we are bound to do, and I think whether we should be prepared to take charge of other countries and of other people is an important question for the American people to decide. I am not speaking now of states which we are to establish as a result of the war. We must help in the establishment of such states. But that belongs to the German peace. The peace with Germany will settle the boundaries of Poland and the Jugo-Slav and the Czecho-Slovak states and the rest. That is part of the German peace which we are bound to see through; but this article 19 is a promise to enter upon the work of trusteeship for all time, and I venture to think it is very serious and deserves much thoughtful consideration.

Of course article 20, for securing or maintaining fair and humane conditions of labor for men, women, and children, is an article in which everyone must sympathize.

Now, article 21:

The high contracting parties agree that provision shall be made through the instrumentality of the league to secure and maintain freedom of transit and equitable treatment for the commerce of all States members of the league—

“Freedom of transit.” Does that mean transit by land alone, or does it mean transit by land and water? If it means transit by land and water we shall have to repeal our coastwise laws.

TARIFFS AND IMPORT DUTIES

“Equitable treatment for the commerce of all States members of the league.” Under that

¹⁹ Albert B. Cummins (1850-1926) served in the Senate, 1908-1926.

phrase, every tariff duty which any other nation thought was inequitable the league of nations could take hold of, and "recommend" or "advise," or "decide," whatever the word may be. If we leave this loose language there the tariff and all import duties of every nation will come before the league. If we think that there is an unjust discrimination against some American goods by any country we have a right to take it before the league and see if we cannot get equitable treatment. I think this opens up a wide field of dispute. It does not seem to me, moreover, that to throw all questions of tariff or of import duties into the jurisdiction of the league can do anything to promote peace. I think, on the contrary, it will be a breeder of dissension. I do not see how it can be anything else.

That is the first very vital objection to it in my mind; but I also have a feeling—and, of course, I am aware it is an old-fashioned one—that the Constitution gives to the House of Representatives the right to originate all bills to raise revenue; and this meddling of the league with tariff rates, of course, would affect revenue very seriously.

Next come the international bureaus, in article 22, to which no one would object.

Then comes article 23, which provides that no such treaty or international engagement, when once made, shall be binding until it has been registered by the secretary general. Our Constitution says that it shall become binding after it has been ratified by the Senate and ratifications have been exchanged; and this seems to add a new condition to the constitutional conditions. I am told by friends of this treaty that we can hold back ratification until the registry has taken place, but while this ingenious scheme undoubtedly slips by the Constitution, it seems to me that it would be just as well to make it plain and avoid a constitutional objection which would get into our courts if nowhere else.

"A COMMITTEE ON STYLE . . . WOULD NOT HAVE BEEN
AMISS"

Article 24 is not very clear, but it says:

It shall be the right of the body of delegates from time to time to advise the reconsideration by State members of the

league of treaties which shall become inapplicable and of international conditions of which the continuance may endanger the peace of the world.

I confess I do not clearly understand what is meant by this. I have no doubt that there are senators, who like the league just as it is printed, who perhaps can explain that thoroughly; but "international conditions of which the continuance may endanger the peace of the world" and "the league of treaties"—I think it must be misprinted; but, at all events, it needs some examination.

Article 25 provides that we solemnly engage not to enter hereafter into any engagements inconsistent with the terms of the league of nations. Now, that is a distinct limitation upon the treaty-making power of the Constitution. That is a new provision which must be added, in my judgment, by constitutional amendment if this article remains unchanged. The Constitution gives us very well-defined powers as to treaty-making, and here we promise that we will not enter upon any engagement inconsistent with the terms of the league of nations. The object is excellent, of course, but it nevertheless raises a very obvious constitutional difficulty.

The provision for amendments to the constitution of the league makes amendment very difficult, if not practically impossible. That is another reason why I am anxious, perhaps unduly anxious, as to the importance of getting this article clear and precise now, before we are asked to approve it. When our Constitution was formed we had in the convention some fifty of the ablest men in the country, and some of the ablest men, I believe, in the world. They took some three months, as I recall, in their work. They had a committee on style, headed by Gouverneur Morris,²⁰ and that is the reason the language of the Constitution of the United States is so extremely clear, precise, and excellent; and yet, precise and clear as those articles are, under them, and especially

²⁰ Gouverneur Morris (1752-1816) represented Pennsylvania at the Constitutional Convention of 1787. He represented New York in the Senate, 1800-1803.

under the grant in regard to commerce between the states, have arisen questions the decisions of which by the Supreme Court would fill volumes, showing the extreme difficulty and also the need of extreme care in phraseology. I think a committee on style in this league, to redraft the proposed constitution and put it in legal language, would not have been amiss.

"NO PROVISION FOR WITHDRAWAL"

Finally, as I come to the end, the Senate will observe that there is no provision for withdrawal. That is very important. We are making an indissoluble treaty. The old fashion of treaties, always beginning by swearing eternal friendship, common certainly as late as the seventeenth century, has been abandoned in modern times entirely. Almost all treaties now contain provisions for terminating the treaty on due notice. Others limit the life of the treaty. An indissoluble treaty, without the right of withdrawal, is very unusual.

It has been pointed out to me—not once but many times—that we can abrogate, that we can violate, that we can overrule any treaty by the action of Congress. I know that. We can denounce it. I know that. I think, however, that to form a league of this kind and leave it in such a form that no nation can get out of it except by abrogation, by violation, or by denunciation—action which usually in the intercourse of nations means war—is very serious. If the right of withdrawal were preserved, a nation could withdraw—on due notice, of course—without shattering the league or impairing in any way the sanctity of treaties. It seems to me there ought to be some such provision. If you leave a country—I am not speaking merely of the United States—tied hard and fast, so that they cannot get out of this league without tearing everything to pieces by denouncing it or by abrogating it or violating it, you create a situation which in my mind does not promote the peace of nations, but the very reverse.

I have seen here not so many years ago an occasion when, in a burst of passion, the House of Representatives swept away a treaty with a friendly nation, which contained provisions for notice and withdrawal, without any regard for

the terms of the treaty. The resolution was modified here so as to avoid insult and offense; but that was the way it passed the House in a moment of anger and excitement. Passion and emotion are not going to perish or die out of men because we sign an agreement for a league of nations. They will remain. The case to which I have referred, which was with Russia, involved the good relations of the United States with one nation; but such treatment of the provisions of the league would involve a similar feeling on the part of all nations of the earth, practically all members of the league. I think this is a very serious danger, a danger to the peace of the world which we are all seeking to promote. It must be avoided by a simple amendment.

Thus, very imperfectly, I have reviewed these articles. I have stated some of the doubts and questionings which have arisen in my own mind, and I could print in the *Record* letters which I have received showing other points and questions which have occurred to other minds. This demonstrates the uncertainties which cloud this instrument from beginning to end. When the United States enters into an indissoluble permanent alliance there ought to be, as I have said, no uncertainties in the terms of the agreement. I earnestly desire to do everything that can be done to secure the peace of the world, but these articles as they stand in this proposed constitution seem to give a rich promise of being fertile in producing controversies and misunderstandings. They also make some demands which I do not believe any nation would submit to in a time of stress. Therefore this machinery would not promote the peace of the world, but would have a directly opposite effect. It would tend to increase the subjects of misunderstanding and dispute among the nations. Is it not possible to draft a better, more explicit, less dangerous scheme than the one here and now presented? Surely we are not to be shut up to this as the last and only word to take or leave.

"THE BURDEN OF PROOF LIES UPON THOSE WHO PROPOSE"

To those who object that the criticism of this tentative draft plan of the committee of the peace conference must be not only destructive

but constructive it might be said that the burden of proof lies upon those who propose, in order to establish the future peace of the world, that the United States must curtail its independence, part with a portion of its sovereignty, and abandon all the international policies which have been so successful for more than a hundred years. Those who support the present draft of the constitution for the league must demonstrate that it is an improvement before they can expect its general acceptance. But the Senate cannot at this time undertake to make plans for a league, because we are in the process of negotiation, and the Senate does not begin to act until the stage of ratification is reached. At the same time there are certain constructive propositions which it would be well, I think, for the peace conference to consider. If it is said that you can preserve the Monroe Doctrine by extending it, which appears to me clearly to mean its destruction and to be a contradiction in terms, then let us put three lines into the draft for the league which will preserve the Monroe Doctrine beyond any possibility of doubt or question. It is easily done. Let us also have, if we enter the league, a complete exclusion from the league's jurisdiction of such questions as are involved in immigration and the right of each country to say who shall come within its borders and become citizens. This and certain other questions vital to national existence ought to be exempted from any control or jurisdiction by the league or its officials by a very few words, such as can be found in the arbitration treaties of 1907. There should be some definite provision for peaceful withdrawal from the league if any nation desires to withdraw. Lastly, let us have a definite statement in the constitution of the league as to whether the league is to have an international force of its own or is to have the power to summon the armed forces of the different members of the league. Let it be stated in plain language whether the "measures," the "recommendations," or the suggestions of the executive council are to be binding upon the members of the league and are to compel them, technically or morally, to do what the league delegates and the executive council determine to be necessary. On the question of the use of force we should

not proceed in the dark. If those who support the league decline to make such simple statements as these—I mean statements in the body of the instrument, not individual statements—it is impossible to avoid the conclusion that they are seeking to do by indirection and the use of nebulous phrases what they are not willing to do directly, and nothing could be more fatal to the preservation of the world's peace than this, for every exercise of power by the executive council which the signatories to the league might fairly consider to be doubtful would lead to very perilous controversies and to menacing quarrels.

"GO ON UNDER THE MONROE DOCTRINE"

Unless some better constitution for a league than this can be drawn, it seems to me, after such examination as I have been able to give, that the world's peace would be much better, much more surely promoted, by allowing the United States to go on under the Monroe Doctrine, responsible for the peace of this hemisphere, without any danger of collision with Europe as to questions among the various American states, and if a league is desired it might be made up by the European nations whose interests are chiefly concerned, and with which the United States could cooperate fully and at any time, whenever cooperation was needed. I suppose I shall make myself the subject of derision for quoting from the Farewell Address, but it states a momentous truth so admirably that I can not refrain from giving it, for I think it ought to be borne in mind. Washington says:

Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

It must also be remembered that if the United States enters any league of nations it does so for the benefit of the world at large, and not for its own benefit. The people of the United States are a peace-loving people. We have no boundaries to rectify, no schemes, and no desires for the acquisition or conquest of territory.

We have in the main kept the peace in the American hemisphere. The states of South America have grown constantly more stable, and revolutions have well-nigh disappeared in the states south of those bordering on the Caribbean. No one questions that the United States is able to prevent any conflicts in the American hemisphere which would involve the world in any way or be more than passing difficulties, which in most cases could be settled by arbitration. If we join a league, therefore, it must be with a view to maintaining peace in Europe, where all the greatest wars have originated, and where there is always danger of war, and in Asia, where serious conflicts may arise at any moment. If we join a league, of course, we have in mind the danger of European conflict springing up in such a way as to involve us in the defense of civilization, as has just happened in the war with Germany. But such wars as that are, fortunately, rare; so rare that one has never before occurred, and when the time came we took our part; but in the main our share in any league must be almost wholly for the benefit of others. We have the right, therefore, to demand that there shall be nothing in any agreement for the maintenance of the world's peace which is likely to produce new causes of difference and dissension, or which is calculated to injure the United States, or compel from us undue sacrifice, or put us in a position where we may be forced to serve the ambitions of others. There is no gain for peace in the Americas to be found by annexing the Americas to the European system. Whatever we do there we do from almost purely altruistic motives, and therefore we are entitled to consider every proposition with the utmost care in order to make sure that it does not do us injustice or render future conditions worse instead of better than they are at present.

To me the whole subject is one of enormous difficulties. We are all striving for a like result; but to make any real advances toward the future preservation of the world's peace will take time, care, and long consideration. We cannot reach our objects by a world constitution hastily constructed in a few weeks in Paris in the midst of the excitement of a war not yet ended. The one thing to do, as I said in the

Senate some time ago, and that which I now wish above all others, is to make the peace with Germany—to make a peace which by its terms will prevent her from breaking out again upon the world; to exclude Turkey from Europe, strengthen Greece, and give freedom and independence to the Armenians and to the Jewish and Christian populations of Asia Minor; to erect the barrier states for the Poles, Czechoslovaks, and Jugo Slavs; to take possession of the Kiel Canal; to establish the Baltic States and free them from Russia and restore Danish Schleswig to Denmark. Provision must be made for indemnities or reparation, or by whatever name we choose to call the damages to be exacted from Germany. We ought, in my judgment, to receive indemnities which would enable us to provide for the *Lusitania*²¹ claims and for the destruction of our ships by submarines—to go no further. But the enormous losses of England and Italy in shipping should be made good, either in money or in kind. Belgium must be restored and fully compensated for her terrible injuries.

"GERMANY IS LIFTING HER HEAD AGAIN"

Finally there is France, and the indemnities to France ought to be ample and complete. The machinery taken from her factories should be restored. The cattle driven from her fields should be brought back. The debt of the free and civilized world to France is inestimable. Our own debt to her is very large. France has been our outpost and our bulwark. She has bared her breast to the storm and stood between us and the advancing hordes of Germany in the darkest days. It was France, aided by the small but gallant army of England, which checked the onrush of the Germans at the first battle of the Marne. It is her land which has been desolated and her villages and cities which have been destroyed. She should have compensation to the utmost limit in every way. Eternal justice demands it. But it is also to our immediate and selfish interest as a nation that France should be made as strong as possible. Alsace and Lorraine she must have without question

²¹ German torpedoes sank the U.S. passenger liner *Lusitania* on May 7, 1915.

and without reduction, and other barriers if necessary to make her impregnable to German assault, for on the strength of France more than anything else, because she is the neighbor of Germany, rests the future peace of the world. We ought then to make this peace with Germany and make it at once. Much time has been wasted. The delays have bred restlessness and confusion everywhere. Germany is lifting her head again. The whining after defeat is changing to threats. She is seeking to annex nine millions of Germans in German Austria. She is reaching out in Russia and reviving her financial and commercial penetration everywhere. Her fields have not been desolated nor her factories destroyed. Germany is again threatening, and the only source of a great war is to be found in the future as in the past in Germany. She could be chained and fettered now and this menace to the world's peace should be removed at once. Whatever else we fought for certainly our first and paramount purpose was to defeat Germany. The victory over Germany is not yet complete. Let it be made so without delay.

That which I desire above everything else, that which is nearest to my heart, is to bring our soldiers home. The making of a league of nations will not do that. We can only bring our soldiers home, entirely and completely, when the peace with Germany is made and proclaimed. Let that peace be made and I can assure the world that when the treaty of peace with Germany comes to this chamber there will be no delay in the Senate of the United States. We must bring our men back from France—the men who fought the war, the men who made the personal sacrifice. Let us get them back at once, and to that end let us have the peace made with Germany, made now, and not delay it until the complicated questions of the league of nations can be settled with the care and consideration which they demand. What is it that delays the peace with Germany? Discussions over the league of nations; nothing else. Let us have peace now, in this year of grace 1919. That is the first step to the future peace of the world. The next step will be to make sure if we can that the world shall have peace in the year 1950 or 2000. Let us have the peace with Germany and bring our boys home.

This is the immediate thing to do toward the establishment of the world's peace, but there is an issue involved in the league constitution presented to us which far overshadows all others. We are asked to depart now for the first time from the foreign policies of Washington. We are invited to move away from George Washington toward the other end of the line at which stands the sinister figure of Trotzky, the champion of internationalism.

We have in this country a government of the people, for the people, and by the people, the freest and best government in the world, and we are the great rampart today against the anarchy and disorder which have taken possession of Russia and are trying to invade every peaceful country in the world. For Lincoln's government of the people, for the people, and by the people we are asked to substitute in the United States on many vital points government of, for, and by other people. Pause and consider well before you take this fateful step. I do not say that agreements may not be made among the nations which stand for ordered freedom and civilization, which will do much to secure and preserve the peace of the world; but no such agreement has yet been presented to us. We must beware of the dangers which beset our path. We must not lose by an improvident attempt to reach eternal peace all that we have won by war and sacrifice. We must build no bridges across the chasm which now separates American freedom and order from Russian anarchy and destruction. We must see to it that the democracy of the United States, which has prospered so mightily in the past, is not drawn by any hasty error or by any glittering delusions, through specious devices of supernational government, within the toils of international socialism and anarchy. I wish nothing but good to all the races of men. I hope and pray that peace, unbroken peace, may reign everywhere on earth. But America and the American people are first in my heart now and always. I can never assent to any scheme no matter how fair its outward seeming which is not for the welfare and for the highest and best interest of my own beloved people of whom I am one—the American people—the people of the United States.